

Examiner, either individually or in combination. Accordingly, prompt allowance of the pending claims is respectfully requested.

The pending claims of the above-identified application are directed to a system and method for automatically identifying program selections (*e.g.*, particular audio program, or music selections) specified in a user's playlist. As explained in the specification, broadcasting systems exist that provide numerous channels of programming, such as the more than 100 channels of digital audio content broadcast by Sirius Satellite Radio Inc. of New York, New York. *See Specification* ¶¶0002-03. According, to an exemplary embodiment of the present invention, descriptive information for the particular content playing on multiple channels of programming can be evaluated in accordance with a prioritized playlist created by a user. *Id.* at ¶¶0021-22, 0029-31.

Accordingly, each of the pending claims recite the ability to evaluate the program content on multiple broadcast channels in order to identify desired program content in accordance with a playlist created by the user. For example, independent claim 1 recites a computer usable medium including computer readable code

for receiving data relating to at least one of a plurality of broadcast channels, the data including a content identification signal for each of the plurality of broadcast channels,

and for

processing the data as a function of a playlist identifying a prioritized list of user selections.

Independent claims 14 and 22 recite similar limitations for a programmable receiver and a method for receiving personalized broadcasts, respectively. Thus, according to the claimed embodiments of the present invention, descriptive information for the content of multiple

broadcast channels can be monitored so that particular content of interest can be automatically selected for the user based on the user's playlist.

Applicant respectfully asserts that the references cited in the pending Office Action in no way teach, or even suggest, providing content identification for multiple broadcast channels in a communication system — in addition to the content of a particular channel — and also evaluating the content identification information for multiple channels as a function of a prioritized playlist, as recited in the pending claims.

For example, *Noreen* describes an interactive system that uses a wireless phone as a back channel to communicate with an internet site. As explained in *Noreen*, a mobile unit capable of receiving a broadcast transmission includes “a wireless transmitter for transmitting wireless signals to the system.” *Noreen* Specification at ¶0010. The purpose of this transmitter is to send information back to the interactive system so that the user can, for example, order goods via the internet. *Id.* at ¶0010-13. The portion of *Noreen* cited in the Office Action describes this interactive operation with feedback provided from the receiving device. *See. e.g., Noreen* at ¶¶0015-17, ¶¶0050-55, ¶0062.

Nowhere, however, does *Noreen* describe, or even mention, providing information on the content of multiple channels and evaluating this content information to select a channel to be played to the user as a function of a user's playlist. In fact, nothing in *Noreen* describes automatic of selection of content to be played for a user based on a user's criteria. Rather, *Noreen* describes communications from the mobile unit after content is played for the user. As a result, *Noreen* does not teach or suggest the evaluation of content information for multiple channels for selection of particular content based on a user's playlist, as recited in the pending claims.

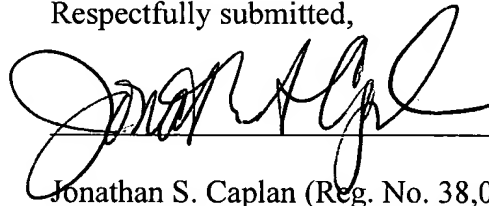
The addition of *Marks* does not cure the failings of *Noreen*. In particular, *Marks* describes an audio internet navigation system that provides a user with selectable additional information that is made available based on the user's current selection. *See Marks Specification* at ¶0012. Further, the user's real-time selection affects the options presented to the user. *See, e.g. id* at ¶0048. Like *Noreen*, however, *Marks* nowhere suggests or describes providing content information for multiple broadcast channels available to the user and evaluating the content information to select a particular broadcast channel based on a user's prioritized playlist, as recited in the pending claims.

Therefore, at least for the reasons set forth above, *Noreen* and *Marks*, individually or in combination, do not teach or suggest the claimed invention. Accordingly, Applicant respectfully asserts that the pending claims are in condition for allowance. Prompt allowance is earnestly solicited.

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Respectfully submitted,

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